

**C. RIGHTS AND RESPONSIBILITIES – CONSUMERS AND DSHS**

Effective January 19, 2002

**WAC 388-290-0025 What rights do I have when I apply for or receive WCCC benefits?**

When you apply for or receive WCCC benefits you have the right to:

- (1) Be treated politely and fairly without regard to race, color, creed, religion, sex, presence of any sensory, mental or physical disability, sexual orientation, political affiliation, national origin, religion, age, gender, disability, or birthplace;
- (2) Have an application accepted and acted upon within thirty days;
- (3) Be informed, in writing, of your legal rights and responsibilities related to WCCC benefits;
- (4) Only have your information shared with other agencies when required by federal or state regulations;
- (5) Get a written notice, at least ten days before the department makes changes to lower or stop benefits except in WAC 388-290-0120;
- (6) Ask for a fair hearing if you do not agree with the department about a decision.
- (7) Ask a supervisor or administrator to review a decision or action affecting your benefits without affecting the right to a fair hearing;
- (8) Have interpreter or translator service within a reasonable amount of time and at no cost to you;
- (9) Be allowed to choose your provider as long as the provider meets the requirements in WAC 388-290-0125; and
- (10) Refuse to speak to a fraud early detection (FRED) investigator from the division of fraud investigations. You do not have to let an investigator into your home. You may ask the investigator to come back at another time. This request will not affect your eligibility for benefits.

Effective January 19, 2002

**WAC 388-290-0030 What responsibilities do I have when I apply for or receive WCCC benefits?**

When you apply for or receive WCCC benefits you have a responsibility to:

- (1) Supply the department with information so we can determine your eligibility and authorize child care payments correctly;
- (2) Choose a provider who meets requirements of WAC 388-290-0125 and make your own child care arrangements;
- (3) Pay, or make arrangements to have someone pay, your WCCC copayment directly to your child care provider;
- (4) Keep and provide when requested, accurate attendance records when you choose in-home/relative child care;
- (5) Pay your in-home/relative provider the entire amount the department sends you for in-home/relative care;
- (6) Require the in-home/relative provider to sign a receipt when you pay the provider. You must keep the receipts for one year for DSHS to review on request;
- (7) Notify WCCC staff, within five days, of any change in providers;
- (8) Notify your provider within ten days when we change your child care authorization;
- (9) Provide notice to WCCC staff within ten days of any change in:
  - (a) The number of child care hours needed (more or less hours);
  - (b) Your household income to include TANF grant stops or starts;
  - (c) Your household size such as any family member moves in or out of your home;
  - (d) Employment, school or approved TANF activity (starting, stopping or changing);

- (e) The address or phone number of your in-home/relative provider;
  - (f) Your home address or telephone number; or
  - (g) Your legal obligation to pay child support.
- (10) Report to your child care authorizing worker, within twenty-four hours, any pending charges or conviction information you learn about your in-home /relative provider.

Effective July 1, 2002

**WAC 388-290-0035 What responsibilities does the WCCC program staff have?**

The WCCC program staff are responsible to:

- (1) Allow you to choose your provider as long as they meet the requirements in WAC 388-290-0125;
- (2) Review your chosen in-home / relative provider's background information.
- (3) Authorize payments only to child care providers who allow you to see your children whenever they are in care;
- (4) Only authorize payment when no adult in your WCCC family is "able or available" to care for your children (under WAC 388-290-0020).
- (5) Inform you of:
  - (a) Your rights and responsibilities under the WCCC program at the time of application and eligibility review;
  - (b) The types of child care providers we can pay;
  - (c) The community resources that can help you select child care when needed; and
  - (d) Any change in your copayment during the authorization period except under WAC 388-290-0120.

- (6) Respond to you within ten days if you report a change of circumstance that affects your WCCC eligibility or copayment; and
- (7) Provide prompt child care payments to your child care provider.